

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

L-3 COMMUNICATIONS
CORPORATION,

Plaintiff,

V.

SONY CORPORATION, SONY
CORPORATION OF AMERICA, SONY
ELECTRONICS INC.,

Defendants.

CIVIL ACTION No. _____

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff L-3 Communications Corporation (“L-3”) files this complaint for patent infringement against Sony Corporation, Sony Corporation of America, and Sony Electronics Inc. (collectively, “Sony”) and states as follows:

I. INTRODUCTION

1. L-3 is a leader and prime defense contractor in Intelligence, Surveillance and Reconnaissance (ISR), secure communications, government services, training and simulation and aircraft modernization and maintenance. L-3 is also a leading merchant supplier of guidance and navigation products and systems, sensors, scanners, fuzes, data links, propulsion systems, avionics, electro optics, satellite communications, electrical power equipment, encryption products, signal intelligence, antennas and microwave products. L-3's extensive patent portfolio protects L-3's considerable investment in its research-and-development efforts.

2. L-3 owns all right, title, and interest in U.S. Patents No. 5,541,654 (“the ‘654 Patent”) and 5,452,004 (“the ‘004 Patent”) (collectively, the “Roberts Patents”), which are

directed to complementary metal-oxide semiconductor (“CMOS”) image sensors. The Roberts Patents cover technology originally developed for military low-light applications.

3. CMOS image sensors are semiconductor chips used to capture and transform the light coming into an aperture of a device into a set of electrical values, which electrical values can be interpreted by a computer to produce a digital image.

4. In particular, the Roberts Patents cover active-pixel CMOS image sensors that incorporate, in the CMOS sensors’ pixel architecture, additional transistors to better control readout of the stored charge. These types of CMOS image sensors are sometimes referred to as “4T,” “5T,” or “6T” CMOS image sensors to indicate the number of transistors (or “Ts”) in the pixel.

5. Sony has infringed the Roberts Patents by making, using, selling, offering to sell, and importing electronics—including digital still cameras, digital video cameras, professional audio/video products, computers, and security systems—that include infringing CMOS image sensors. This action seeks redress for Sony’s infringement.

II. THE PARTIES

6. L-3 is a Delaware corporation with its principal place of business at 600 Third Avenue, New York, New York.

7. On information and belief, Sony Corporation is a Japanese corporation with a place of business at 1-7-1 Konan, Minato-ku, Tokyo 108-0075, Japan, and is doing business in this district in conjunction with its wholly owned subsidiaries, including those identified in this complaint.

8. On information and belief, Sony Corporation of America (“Sony America”) is a New York corporation with its principal place of business at 550 Madison Avenue, New York,

New York 10022-3211 and is a wholly owned subsidiary of Sony Corporation conducting business within this district.

9. On information and belief, Sony Electronics Inc. is a Delaware corporation, with its principal place of business at 1653 Via Esprillo, San Diego, California 92127, and is a wholly owned subsidiary of Sony America or Sony Corporation conducting business within this district.

10. Sony is one of the largest manufacturers and sellers of consumer-electronics products in the United States. Sony sells and offers to sell its products through the World Wide Web at www.Sonystyle.com, and at retail stores located in this judicial district. Sony has voluntarily and purposely placed its products—including products that infringe the Roberts patents—into the stream of commerce with the expectation that they will be offered for sale and sold in this judicial district.

11. Sony's infringing products are those products that incorporate CMOS image sensors having four or more transistors per pixel. This group of products includes Sony's:

- i. α (alpha) digital single-lens reflex ("DSLR") camera system, which incorporates the Exmor™ APS HD CMOS image sensor;
- ii. 10.2 megapixel TX5 digital still camera, which incorporates the Exmor™ R CMOS image sensor;
- iii. high-definition consumer digital video cameras, including Sony's HDR-XR550V 240GB and HDR-CX350V models, both of which incorporate the Exmor™ R CMOS image sensor, and the HDR-SR11, which incorporates the ClearVid CMOS image sensor;
- iv. high-definition professional digital video cameras, including Sony's PMW-350 and PMW-EX1R models, both of which incorporate the Exmor™ R CMOS image sensor; and
- v. security systems, including those having the SNC-CH140 fixed camera and SNC-DH140 mini dome camera, both of which incorporate the Exmor™ CMOS image sensor.

III. JURISDICTION AND VENUE

12. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

13. As stated above, Sony regularly and deliberately engages in activities that occur in and/or result in sales of goods and services in this judicial district, and that infringe the Roberts Patents. This Court has personal jurisdiction over Defendants.

14. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b)-(d) and 1400(b) because, among other reasons, Sony is subject to personal jurisdiction in this district, has committed infringing acts in this district, and is subject to suit in this district.

IV. COUNT I INFRINGEMENT OF U.S. PATENT NO. 5,452,004

15. L-3 repeats and re-alleges all of the allegations in all of the paragraphs above, as if set forth fully herein.

16. On September 19, 1995, United States Patent No. 5,452,004 (“the ‘004 Patent”) entitled “Focal Plane Array Imaging Device with Random Access Architecture Claims” was duly and legally issued by the United States Patent and Trademark Office with Peter C. T. Roberts as the named inventor. L-3 owns all right, title, and interest in the ‘004 patent, including the right to sue for past, present, and future damages. A true and correct copy of the ‘004 Patent is attached hereto as Exhibit A.

17. Upon information and belief, Sony has infringed, and has contributed to and has induced infringement of the ‘004 patent, including—without limitation—by making, using, selling, offering to sell, or importing in this district and elsewhere in the United States, products falling within the scope of one or more claims of the ‘004 Patent.

18. Unless enjoined, Sony will continue to infringe the '004 Patent, and L-3 will suffer irreparable injury as a direct and proximate cause of Sony's conduct.

19. L-3 has been injured by Sony's conduct, and will continue to be injured in an amount yet to be determined until an injunction issues.

**V. COUNT II
INFRINGEMENT OF U.S. PATENT NO. 5,541,654**

20. L-3 repeats and re-alleges all of the allegations in all of the paragraphs above, as if set forth fully herein.

21. On July 30, 1996, United States Patent No. 5,541,654 ("the '654 Patent") entitled "Focal Plane Array Imaging Device with Random Access Architecture Claims" was duly and legally issued by the United States Patent and Trademark Office with Peter C. T. Roberts as the named inventor. L-3 owns all right, title, and interest in the '654 patent, including the right to sue for past, present, and future damages. A true and correct copy of the '654 Patent is attached hereto as Exhibit B.

22. Upon information and belief, Sony has infringed, and has contributed to and has induced infringement of the '654 patent, including—without limitation—by making, using, selling, offering to sell, or importing in this district and elsewhere in the United States, products falling within the scope of one or more claims of the '654 Patent.

23. Unless enjoined, Sony will continue to infringe the '654 Patent, and L-3 will suffer irreparable injury as a direct and proximate cause of Sony's conduct.

24. L-3 has been injured by Sony's conduct, and will continue to be injured in an amount yet to be determined until an injunction issues.

JURY DEMAND

Plaintiff respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

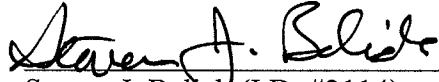
WHEREFORE, L-3 Communications Corporation respectfully requests the following relief:

1. The entry of judgment that each Defendant has infringed and induced infringement of and contributed to the infringement of U.S. Patent No. 5,452,004 and U.S. Patent No. 5,541,654;
2. A permanent injunction enjoining each Defendant and any of its respective officers, agents, servants, employees, subsidiaries, parents, and attorneys, and all persons acting in concert, on behalf of, in joint venture, or in partnership with each Defendant, from infringing, inducing infringement, and contributing to the infringement of U.S. Patent No. 5,452,004 and U.S. Patent No. 5,541,654;
3. An award of damages to L-3 Communications sufficient to compensate for Defendants' infringement of U.S. Patent No. 5,452,004 and U.S. Patent No. 5,541,654;
4. A finding that each Defendant's infringement of U.S. Patent No. 5,452,004 and U.S. Patent No. 5,541,654 is and has been willful;
5. A finding that this case is an exceptional case under 35 U.S.C. § 285;
6. An award of treble damages to L-3 Communications under 35 U.S.C. § 284, and an award to L-3 Communications of its reasonable costs and attorneys' fees incurred in connection with this action under 35 U.S.C. § 285.
7. An award to L-3 Communications of pre-judgment and post-judgment interest on the damages awarded;

8. In the event that a permanent injunction against future acts of infringement is not entered by the Court, an award to L-3 Communications of a compulsory ongoing license fee; and

9. Such other and further relief as this Court deems just and proper.

ASHBY & GEDDES



Steven J. Balick (I.D. #2114)
Lauren E. Maguire (I.D. #4261)
Andrew C. Mayo (I.D. #5207)
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
(302) 654-1888
sbalick@ashby-geddes.com
lmauire@ashby-geddes.com
amayo@ashby-geddes.com

Of Counsel:

John R. Emerson
Theodore G. Baroody
Donald E. Tiller
HAYNES AND BOONE, L.L.P.
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
(214) 651-5000

*Attorneys for Plaintiff,
L-3 Communications Corporation*

Dated: August 27, 2010